

## **Senate Bill No. 493**

### **CHAPTER 251**

An act to add Section 10389.2 to the Public Contract Code, relating to state property, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 6, 2011. Filed with  
Secretary of State September 6, 2011.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 493, Padilla. State surplus property.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property. Existing law authorizes the department to first offer appropriate state surplus personal property to school districts, and authorizes the department to offer it at less than fair market value, prior to offering that property to the public, as specified.

This bill would impose additional requirements on the department regarding disposal of state surplus computers, laptops, monitors, and related computer equipment, as provided.

This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 10389.2 is added to the Public Contract Code, to read:

10389.2. (a) The department's policies and procedures regarding the disposition of state surplus computers, laptops, monitors, and related computer equipment shall do all of the following:

(1) Facilitate the disposition of state surplus computers to further the state policy of bridging the digital divide, as described in subdivision (d) of Section 709 of the Public Utilities Code.

(2) Authorize nonprofit entities that, in partnership with a school district, operate a public computer center to further the state policy of bridging the digital divide, as described in subdivision (d) of Section 709 of the Public Utilities Code, to be eligible for receipt of state surplus computers under Section 10389.1 and through approved disposition directly from a state agency.

(3) Include a procedure enabling state agencies with surplus computers to ascertain whether the nonprofit entities described in paragraph (2) are interested in receiving those surplus computers. The procedure shall include

a preference for nonprofit entities within the same geographic region as the state agency in order to minimize transportation and disposition costs.

(4) Require that state agency documentation of the disposition of surplus computers include a certification that all confidential, sensitive, and personal information was removed from the computers prior to disposition.

(5) Require any nonprofit organization that obtains a computer from the department, pursuant to this article, to use the computer only for operating a public computer center and to prohibit the resale of that computer.

(b) The department, in collaboration with the California Technology Agency, shall promote increased awareness among state agency officials of the requirement to remove from all state surplus computers all confidential, sensitive, and personal information prior to any disposition of those computers.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enable recipients of grants under the federal American Recovery and Reinvestment Act of 2009 to have access to computers for use within the limited timeframe for which federal funding is available, it is necessary for this act to take effect immediately.